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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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David A. Hughes

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EXAMINER

BATURAY, ALICIA

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/838,983	Applicant(s) HUGHES ET AL.	
	Examiner Alicia Baturay	Art Unit 2446	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 November 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-15, 17-23, 31-35 and 42-51 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-15, 17-23, 31-35 and 42-51 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 November 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is in response to the amendment filed 20 November 2008.
2. Claims 9, 17, 31, 42 and 47 were amended.
3. Claims 1-8, 16, 24-30, 36-41 and 52-54 were cancelled.
4. Claims 9-15, 17-23, 31-35 and 42-51 are pending in this Office Action.

Response to Amendment

5. Applicant's amendments and arguments with respect to claims 9-15, 17-23, 31-35 and 42-51 filed on 20 November 2008 have been fully considered but they are deemed to be moot in view of the new grounds of rejection.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
7. Claims 9, 10, 17, 18, 42 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uomini (U.S. 6,018,761) in view of Olivier (U.S. 6,480,885) in view of Syroid et al. ("Outlook 2000 in a Nutshell) and further in view of Enns et al. (U.S. 7,082,298).

8. With respect to claims 9 and 42, Uomini teaches a method of transmitting an audio sample using electronic mail, comprising: establishing an audio sample to be a predefined default audio sample to be used in conjunction with an email application program (Uomini, col. 2, lines 27-44).

Uomini does not explicitly teach establishing a footer comprising at least of a text portion.

However, Olivier teaches establishing a default footer within an enterprise email server, said footer comprising at least a text portion; automatically attaching the predefined default footer to each electronic mail message generated by the sender; sending the electronic mail message along with the predefined default footer to the recipient (Olivier, col. 17, lines 40-45).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Uomini in view of Olivier in order to establishing a footer comprising at least of a text portion. One would be motivated to do so in order to enable users to customize their communications.

The combination of Uomini and Olivier does not explicitly teach detailed descriptions of the use of an email application providing a platform for a sender to generate an electronic mail message to a recipient.

However, Syroid teaches within the email application program, providing a platform for a sender to generate an electronic mail message to a recipient (Syroid, 5.4.7. Signatures, “Outlook can append a signature to every new message, or append a signature only to

messages you designate. Below the editing buttons is a pick list and creation option for attaching a vCard to your signature in addition to the text.”).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Uomini and Olivier in view of Syroid in order to enable detailed descriptions of the use of an email application providing a platform for a sender to generate an electronic mail message to a recipient. One would be motivated to do so in order to promote standard means of exchanging contact information between supported email clients.

The combination of Uomini, Olivier and Syroid does not explicitly teach use of a single command to attach a file.

However, Enns teaches within the enterprise email application program (Enns, col. 5, lines 48-57), receiving a command from the sender to send the electronic mail message; and sending the electronic mail message along with the audio sample to the recipient (Enns, col. 6, lines 38-39).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Uomini, Olivier and Syroid in view of Enns in order to enable the use of a single command to attach a file. One would be motivated to do so in order to enable method of composing an electronic message by adding audio content to the message.

9. With respect to claims 10, 18 and 43, Uomini teaches the invention described in claim 9, including a method of transmitting an audio sample using electronic mail, comprising:

establishing an audio sample to be a predefined default audio sample to be used in conjunction with an email application program (Uomini, col. 2, lines 27-44).

Uomini does not explicitly teach establishing a footer comprising at least of a text portion.

However, Olivier teaches establishing a default footer within an enterprise email server, said footer comprising at least a text portion; automatically attaching the predefined default footer to each electronic mail message generated by the sender; sending the electronic mail message along with the predefined default footer to the recipient (Olivier, col. 17, lines 40-45).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Uomini in view of Olivier in order to establishing a footer comprising at least of a text portion. One would be motivated to do so in order to enable users to customize their communications.

The combination of Uomini and Olivier does not explicitly teach detailed descriptions of the use of an email application providing a platform for a sender to generate an electronic mail message to a recipient.

However, Syroid teaches within the email application program, providing a platform for a sender to generate an electronic mail message to a recipient (Syroid, 5.4.7. Signatures, “Outlook can append a signature to every new message, or append a signature only to messages you designate. Below the editing buttons is a pick list and creation option for attaching a vCard to your signature in addition to the text.”).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Uomini and Olivier in view of Syroid in order to enable detailed descriptions of the use of an email application providing a platform for a sender to generate an electronic mail message to a recipient. One would be motivated to do so in order to promote standard means of exchanging contact information between supported email clients.

The combination of Uomini, Olivier and Syroid does not explicitly teach use of a single command to attach a file.

However, Enns teaches within the enterprise email application program (Enns, col. 5, lines 48-57), receiving a command from the sender to send the electronic mail message; and sending the electronic mail message along with the audio sample to the recipient (Enns, col. 6, lines 38-39) and the method wherein the audio sample comprises a computer file containing compressed audio sample (Enns, col. 6, lines 50-55).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Uomini, Olivier and Syroid in view of Enns in order to enable the use of a single command to attach a file. One would be motivated to do so in order to enable method of composing an electronic message by adding audio content to the message.

10. With respect to claim 17, Uomini teaches an electronic mail system comprising: said predefined default audio sample and program means, forming a part of the electronic mail

application, for establishing an audio sample to be a predefined default audio sample that is to be used in conjunction with the electronic mail application (Uomini, col. 2, lines 27-44).

Uomini does not explicitly teach establishing a footer comprising at least of a text portion.

However, Olivier teaches program means running on an enterprise email server for establishing a default footer, said footer comprising at least a text portion (Olivier, col. 17, lines 40-45).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Uomini in view of Olivier in order to establishing a footer comprising at least of a text portion. One would be motivated to do so in order to enable users to customize their communications.

The combination of Uomini and Olivier does not explicitly teach detailed descriptions of the use of an email application providing a platform for a sender to generate an electronic mail message to a recipient.

However, Syroid teaches the electronic mail application having a user interface including a plurality of user controls to permit a sender to create and send an electronic mail message to a recipient (Syroid, 5.4.7. Signatures, "Outlook can append a signature to every new message, or append a signature only to messages you designate. Below the editing buttons is a pick list and creation option for attaching a vCard to your signature in addition to the text.").

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Uomini and Olivier in view of Syroid in order to

enable detailed descriptions of the use of an email application providing a platform for a sender to generate an electronic mail message to a recipient. One would be motivated to do so in order to promote standard means of exchanging contact information between supported email clients.

The combination of Uomini, Olivier and Syroid does not explicitly teach use of a single command to attach a file.

However, Enns teaches a programmed processor; an electronic mail application running on the programmed processor (Enns, col. 3, lines 10-30), and program means running on the enterprise email server for attaching the audio sample to an electronic mail document upon a user's actuation of a single control on the user interface (Enns, col. 6, lines 38-39).

11. Claims 11, 13, 14, 19, 21, 22, 31-35 and 44-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uomini in view of Olivier in view of Syroid in view of Enns and in further view of Fritsch (U.S. 6,233,682).
12. With respect to claims 11, 14, 19, 22, 33, 35, 44, 46, 49 and 51, Uomini teaches the invention described in claim 9, including a method of transmitting an audio sample using electronic mail, comprising: establishing an audio sample to be a predefined default audio sample to be used in conjunction with an email application program (Uomini, col. 2, lines 27-44).

Uomini does not explicitly teach establishing a footer comprising at least of a text portion.

However, Olivier teaches establishing a default footer within an enterprise email server, said footer comprising at least a text portion; automatically attaching the predefined default footer to each electronic mail message generated by the sender; sending the electronic mail message along with the predefined default footer to the recipient (Olivier, col. 17, lines 40-45).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Uomini in view of Olivier in order to establishing a footer comprising at least of a text portion. One would be motivated to do so in order to enable users to customize their communications.

The combination of Uomini and Olivier does not explicitly teach detailed descriptions of the use of an email application providing a platform for a sender to generate an electronic mail message to a recipient.

However, Syroid teaches within the email application program, providing a platform for a sender to generate an electronic mail message to a recipient (Syroid, 5.4.7. Signatures, “Outlook can append a signature to every new message, or append a signature only to messages you designate. Below the editing buttons is a pick list and creation option for attaching a vCard to your signature in addition to the text.”).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Uomini and Olivier in view of Syroid in order to enable detailed descriptions of the use of an email application providing a platform for a

sender to generate an electronic mail message to a recipient. One would be motivated to do so in order to promote standard means of exchanging contact information between supported email clients.

The combination of Uomini, Olivier and Syroid does not explicitly teach use of a single command to attach a file.

However, Enns teaches within the enterprise email application program (Enns, col. 5, lines 48-57), receiving a command from the sender to send the electronic mail message; and sending the electronic mail message along with the audio sample to the recipient (Enns, col. 6, lines 38-39).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Uomini, Olivier and Syroid in view of Enns in order to enable the use of a single command to attach a file. One would be motivated to do so in order to enable method of composing an electronic message by adding audio content to the message.

The combination of Uomini, Olivier, Syroid and Enns does not explicitly teach the audio sample comprising a link to a source for purchase.

However, Fritsch teaches the method wherein the audio sample further comprises a link to a source for purchase of a product containing a representation of the audio sample (Fritsch, col. 4, lines 58-60).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Uomini, Olivier, Syroid and Enns in view of Fritsch in order to enable the audio sample comprising a link to a source for purchase. One would be

motivated to do so in order to facilitate the purchase of music online resulting in increased revenue via e-commerce.

13. With respect to claims 13, 21, 34, 45 and 50, Uomini teaches the invention described in claim 9, including a method of transmitting an audio sample using electronic mail, comprising: establishing an audio sample to be a predefined default audio sample to be used in conjunction with an email application program (Uomini, col. 2, lines 27-44).

Uomini does not explicitly teach establishing a footer comprising at least of a text portion.

However, Olivier teaches establishing a default footer within an enterprise email server, said footer comprising at least a text portion; automatically attaching the predefined default footer to each electronic mail message generated by the sender; sending the electronic mail message along with the predefined default footer to the recipient (Olivier, col. 17, lines 40-45).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Uomini in view of Olivier in order to establishing a footer comprising at least of a text portion. One would be motivated to do so in order to enable users to customize their communications.

The combination of Uomini and Olivier does not explicitly teach detailed descriptions of the use of an email application providing a platform for a sender to generate an electronic mail message to a recipient.

However, Syroid teaches within the email application program, providing a platform for a sender to generate an electronic mail message to a recipient (Syroid, 5.4.7. Signatures, “Outlook can append a signature to every new message, or append a signature only to messages you designate. Below the editing buttons is a pick list and creation option for attaching a vCard to your signature in addition to the text.”).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Uomini and Olivier in view of Syroid in order to enable detailed descriptions of the use of an email application providing a platform for a sender to generate an electronic mail message to a recipient. One would be motivated to do so in order to promote standard means of exchanging contact information between supported email clients.

The combination of Uomini, Olivier and Syroid does not explicitly teach use of a single command to attach a file.

However, Enns teaches within the enterprise email application program (Enns, col. 5, lines 48-57), receiving a command from the sender to send the electronic mail message; and sending the electronic mail message along with the audio sample to the recipient (Enns, col. 6, lines 38-39).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Uomini, Olivier and Syroid in view of Enns in order to enable the use of a single command to attach a file. One would be motivated to do so in order to enable method of composing an electronic message by adding audio content to the message.

The combination of Uomini, Olivier, Syroid and Enns does not explicitly teach the audio sample comprising a link to a source for purchase.

However, Fritsch teaches the method wherein the audio sample comprises a link to a source of streaming music (Fritsch, col. 4, lines 49-58). Figure 1C shows a user “pre-listening” to a song on a web page; it is inherent the music is streaming.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Uomini, Olivier, Syroid and Enns in view of Fritsch in order to enable the audio sample comprising a link to a source for purchase. One would be motivated to do so in order to facilitate the purchase of music online resulting in increased revenue via e-commerce.

14. With respect to claims 31 and 47, Uomini teaches an enterprise electronic mail system, comprising: means for establishing an audio sample to be a predefined default audio sample to be used with the electronic mail application (Uomini, col. 2, lines 27-44).

Uomini does not explicitly teach establishing a footer comprising at least of a text portion.

However, Olivier teaches means operative at the enterprise email server for establishing a default footer, wherein said default footer comprises at least a text portion; and program means, running on the enterprise mail server, for attaching the predefined default footer to an electronic mail document sent from the electronic mail application to the recipient (Olivier, col. 17, lines 40-45).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Uomini in view of Olivier in order to establishing a footer comprising at least of a text portion. One would be motivated to do so in order to enable users to customize their communications.

The combination of Uomini and Olivier does not explicitly teach detailed descriptions of the use of an email application providing a platform for a sender to generate an electronic mail message to a recipient.

However, Syroid teaches the electronic mail application having a user interface including a plurality of user controls to permit a sender to create and send an electronic mail message to a recipient (Syroid, 5.4.7. Signatures, “Outlook can append a signature to every new message, or append a signature only to messages you designate. Below the editing buttons is a pick list and creation option for attaching a vCard to your signature in addition to the text.”).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Uomini and Olivier in view of Syroid in order to enable detailed descriptions of the use of an email application providing a platform for a sender to generate an electronic mail message to a recipient. One would be motivated to do so in order to promote standard means of exchanging contact information between supported email clients.

The combination of Uomini and Syroid does not explicitly teach use of a processor.

However, Enns a computer network (Enns, col. 3, lines 10-30); a programmed processor (Enns, Fig. 1, element 121; col. 3, lines 10-30) forming a part of the computer network; an electronic mail application running on the programmed processor (Enns, col. 5, lines 48-57).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Uomini, Olivier and Syroid in view of Enns in order to enable the use of a single command to attach a file. One would be motivated to do so in order to enable method of composing an electronic message by adding audio content to the message.

The combination of Uomini, Olivier, Syroid and Enns does not explicitly teach the audio sample comprising a link to a source for purchase.

However, Fritsch teaches an enterprise email server forming a part of the computer network, wherein email messages created using the electronic mail application are passed through the email server (Fritsch, col. 3, lines 4-13).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Uomini, Olivier, Syroid and Enns in view of Fritsch in order to enable the audio sample comprising a link to a source for purchase. One would be motivated to do so in order to facilitate the purchase of music online resulting in increased revenue via e-commerce.

15. With respect to claims 32 and 48, Uomini teaches the invention described in claim 31, including an enterprise electronic mail system, comprising: means for establishing an audio

sample to be a predefined default audio sample to be used with the electronic mail application (Uomini, col. 2, lines 27-44).

Uomini does not explicitly teach establishing a footer comprising at least of a text portion.

However, Olivier teaches means operative at the enterprise email server for establishing a default footer, wherein said default footer comprises at least a text portion; and program means, running on the enterprise mail server, for attaching the predefined default footer to an electronic mail document sent from the electronic mail application to the recipient (Olivier, col. 17, lines 40-45).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Uomini in view of Olivier in order to establishing a footer comprising at least of a text portion. One would be motivated to do so in order to enable users to customize their communications.

The combination of Uomini and Olivier does not explicitly teach detailed descriptions of the use of an email application providing a platform for a sender to generate an electronic mail message to a recipient.

However, Syroid teaches the electronic mail application having a user interface including a plurality of user controls to permit a sender to create and send an electronic mail message to a recipient (Syroid, 5.4.7. Signatures, "Outlook can append a signature to every new message, or append a signature only to messages you designate. Below the editing buttons is a pick list and creation option for attaching a vCard to your signature in addition to the text.").

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Uomini and Olivier in view of Syroid in order to enable detailed descriptions of the use of an email application providing a platform for a sender to generate an electronic mail message to a recipient. One would be motivated to do so in order to promote standard means of exchanging contact information between supported email clients.

The combination of Uomini and Syroid does not explicitly teach use of a processor.

However, Enns a computer network (Enns, col. 3, lines 10-30); a programmed processor (Enns, Fig. 1, element 121; col. 3, lines 10-30) forming a part of the computer network; an electronic mail application running on the programmed processor (Enns, col. 5, lines 48-57) and the method wherein the audio sample comprises a computer file containing compressed audio sample (Enns, col. 6, lines 50-55).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Uomini, Olivier and Syroid in view of Enns in order to enable the use of a single command to attach a file. One would be motivated to do so in order to enable method of composing an electronic message by adding audio content to the message.

The combination of Uomini, Olivier, Syroid and Enns does not explicitly teach the audio sample comprising a link to a source for purchase.

However, Fritsch teaches an enterprise email server forming a part of the computer network, wherein email messages created using the electronic mail application are passed through the email server (Fritsch, col. 3, lines 4-13).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Uomini, Olivier, Syroid and Enns in view of Fritsch in order to enable the audio sample comprising a link to a source for purchase. One would be motivated to do so in order to facilitate the purchase of music online resulting in increased revenue via e-commerce.

16. Claims 12, 15, 20 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uomini in view of Olivier in view of Syroid in view of Enns in view of Fritsch and in further view of Kang (U.S. 2001/0051925).

17. With respect to claims 12, 15, 20 and 23 Uomini teaches the invention described in claim 11, including a method of transmitting an audio sample using electronic mail, comprising: establishing an audio sample to be a predefined default audio sample to be used in conjunction with an email application program (Uomini, col. 2, lines 27-44).

Uomini does not explicitly teach establishing a footer comprising at least of a text portion.

However, Olivier teaches establishing a default footer within an enterprise email server, said footer comprising at least a text portion; automatically attaching the predefined default footer to each electronic mail message generated by the sender; sending the electronic mail message along with the predefined default footer to the recipient (Olivier, col. 17, lines 40-45).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Uomini in view of Olivier in order to establishing a footer comprising at least of a text portion. One would be motivated to do so in order to enable users to customize their communications.

The combination of Uomini and Olivier does not explicitly teach detailed descriptions of the use of an email application providing a platform for a sender to generate an electronic mail message to a recipient.

However, Syroid teaches within the email application program, providing a platform for a sender to generate an electronic mail message to a recipient (Syroid, 5.4.7. Signatures, "Outlook can append a signature to every new message, or append a signature only to messages you designate. Below the editing buttons is a pick list and creation option for attaching a vCard to your signature in addition to the text.").

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Uomini and Olivier in view of Syroid in order to enable detailed descriptions of the use of an email application providing a platform for a sender to generate an electronic mail message to a recipient. One would be motivated to do so in order to promote standard means of exchanging contact information between supported email clients.

The combination of Uomini, Olivier and Syroid does not explicitly teach use of a single command to attach a file.

However, Enns teaches within the enterprise email application program (Enns, col. 5, lines 48-57), receiving a command from the sender to send the electronic mail message; and

sending the electronic mail message along with the audio sample to the recipient (Enns, col. 6, lines 38-39).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Uomini, Olivier and Syroid in view of Enns in order to enable the use of a single command to attach a file. One would be motivated to do so in order to enable method of composing an electronic message by adding audio content to the message.

The combination of Uomini, Olivier, Syroid and Enns does not explicitly teach the audio sample comprising a link to a source for purchase.

However, Fritsch teaches the method wherein the audio sample further comprises a link to a source for purchase of a product containing a representation of the audio sample (Fritsch, col. 4, lines 58-60).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Uomini, Olivier, Syroid and Enns in view of Fritsch in order to enable the audio sample comprising a link to a source for purchase. One would be motivated to do so in order to facilitate the purchase of music online resulting in increased revenue via e-commerce.

The combination of Uomini, Olivier, Syroid, Enns and Fritsch does not explicitly teach the use of affinity credit.

However, Kang teaches the method wherein if the recipient makes a purchase from the source, an affinity credit is awarded to the sender (Kang, paragraphs 29-30).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Uomini, Olivier, Syroid, Enns and Fritsch in view of Kang in order to enable the use of affinity credit. One would be motivated to do so in order to encourage the wide distribution and purchase of content.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia Baturay whose telephone number is (571) 272-3981. The examiner can normally be reached at 7:30am - 5pm, Monday - Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Pwu can be reached on (571) 272-6798. The fax number for the organization where this application or proceeding is assigned is (571) 273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alicia Baturay
February 26, 2009

/Jeffrey Pwu/
Supervisory Patent Examiner, Art Unit 2446